



05/20/024 ~~ALL INFORMATION CONTAINED~~ ~~HEREIN IS UNP~~  
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**PATENT**

Attorney Docket No. 3077.1A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: GOLDBERG, et al.

Examiner: TBA

Serial No: 10/044,428

Group Art Unit: TBA

Filing Date: October 26, 2001

**Title: METHOD OF MANUFACTURING  
BIOLOGICAL CHIPS (as amended)**

BOX MISSING PARTS  
Washington, D.C. 20231

**TRANSMITTAL FOR RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the "Notice to File Missing Parts of Application – Filing Date Granted" mailed by the United States Patent and Trademark Office on March 25, 2002, the following documents are enclosed to complete the filing of the above-identified patent application:

1. Fee Transmittal (1 page);
2. Power of Attorney or Authorization of Agent Not Accompanying Application (1 page);
3. Statement Under 37 CFR 3.73(b), (1 page);
4. Copy of Joint Declaration for Patent Application (originally filed with parent), (2 pages);
5. Submission of Substitute Formal Drawings (1 page);
6. Five (5) sheets of Substitute Formal Drawings, Figs. 1, 2a, 2b, 3, and 4;
7. Response to Notice to Comply with 37 CFR 1.821-1.825 (1 page);
8. Copy of Notice to File Missing Parts of NonProvisional Application, (2 pages).

The United States Patent and Trademark Office is hereby authorized to charge the following fees to Deposit Account No. 19-2386;

Surcharge for filing declaration on a date later than the filing date of application \$130.00.

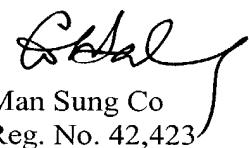
<b>TOTAL FEE</b>	<b>\$130.00</b>
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The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

It is hereby respectfully submitted that the enclosed documents complete the filing of the above patent application and justify the filing date of October 26, 2001. Please telephone the undersigned at (408) 731-5000, if there are any questions. This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited by Express Mail to Commissioner For Patents, Washington, D C 20231  
On 5/16/02  
Express Mail No. EL 675 608 141 US  
AFFYMETRIX, INC.  
By Sylvia Roger

Respectfully submitted,

  
Man Sung Co  
Reg. No. 42,423

Legal Department  
Affymetrix, Inc.  
3380 Central Expressway  
Santa Clara, CA 95051  
Tel: 408/731-5000  
Fax: 408/731-5392



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision

**TOTAL AMOUNT OF PAYMENT** (\$ 130)

*Complete if Known*

Application Number	10/044,428
Filing Date	10/26/01
First Named Inventor	Martin J. Goldberg
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No	3077 1A

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
 Deposit Account

Deposit Account Number 01-0431  
Deposit Account Name AFFYMETRIX, INC

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION (continued)

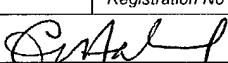
3. ADDITIONAL FEES		Fee Description				Fee Paid
Fee Code	Large Entity Fee (\$)	Fee Code	Small Entity Fee (\$)			
105	130	205	65	Surcharge - late filing fee or oath		130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet		
139	130	139	130	Non-English specification		
147	2,520	147	2,520	For filing a request for reexamination		
112	920*	112	920*	Requesting publication of SIR prior to Examiner action		
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
115	110	215	55	Extension for reply within first month		
116	400	216	200	Extension for reply within second month		
117	920	217	460	Extension for reply within third month		
118	1,440	218	720	Extension for reply within fourth month		
128	1,960	228	980	Extension for reply within fifth month		
119	320	219	160	Notice of Appeal		
120	320	220	160	Filing a brief in support of an appeal		
121	280	221	140	Request for oral hearing		
138	1,510	138	1,510	Petition to institute a public use proceeding		
140	110	240	55	Petition to revive – unavoidable		
141	1,280	241	640	Petition to revive – unintentional		
142	1,280	242	640	Utility issue fee (or reissue)		
143	460	243	230	Design issue fee		
144	620	244	310	Plant issue fee		
122	130	122	130	Petitions to the Commissioner		
123	50	123	50	Processing fee under 37 CFR 1.17 (q)		
126	180	126	180	Submission of Information Disclosure Stmt		
581	40	581	40	Recording each patent assignment per property (times number of properties)		
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		
179	740	279	370	Request for Continued Examination (RCE)		
169	900	169	900	Request for expedited examination of a design application		
Other fee (specify) 0						

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 130)

\*\*or number previously paid, if greater. For Reissues, see above

SUBMITTED BY						Complete (if applicable)
Name (Print/Type)	Man Sung Co	Registration No	Attorney/Agent	42,423	Telephone	(408) 731-5000
Signature					Date	5/13/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

Express Mail No.: EL 675 508 141 US



U.S. PATENT & TRADEMARK OFFICE  
MAY 16 2002  
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Page 1 of 2

3077.1A

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

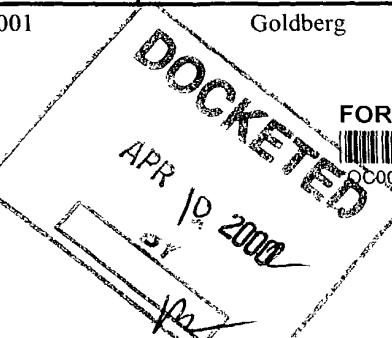
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/044,428	10/26/2001	Goldberg	3077.1A

22886  
AFFYMETRIX, INC  
ATTN: CHIEF IP COUNSEL, LEGAL DEPT  
3380 CENTRAL EXPRESSWAY  
SANTA CLARA, CA 95051

CONFIRMATION NO. 1948

FORMALITIES LETTER

CO00000007709052\*



Date Mailed: 03/25/2002

due 5/25/02

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/22/2002 10004MS218 00000104 010431 10044,428 FILED UNDER 37 CFR 1.53(b)  
01 FEE103 130.00 CH

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also

provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

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*A copy of this notice **MUST** be returned with the reply.*

*M. manal*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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Attorney Docket No. 3077.1A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GOLDBERG, et al.

Application No.: 10/044,428

Filed: October 26, 2001

For: METHOD OF MANUFACTURING  
BIOLOGICAL CHIPS (as amended)

Examiner: TBA

Art Unit: TBA

Box Missing Parts  
Commissioner of Patents  
Washington, D.C. 20231

**SUBMISSION OF SUBSTITUTE FORMAL DRAWINGS**

Dear Sir:

Applicant submits five (5) sheets of formal drawings, consisting of Figures 1, 2a, 2b, 3, and 4, in the above-named application. If there are any questions regarding these drawings, please call the undersigned at (408) 731-5000.

The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. 01-0431.

Please telephone the undersigned at (408) 731-5000, if there are any questions.  
This form is being submitted in duplicate.

I hereby certify that this correspondence is being deposited by Express Mail to Commissioner For Patents, Washington, D C 20231 On <u>May 16, 2002</u> Express Mail No <u>EL 675 508 141 US</u>
AFFYMETRIX, INC By <u>Sylvia Lai</u>

Respectfully submitted,

  
Man Sung Co  
Reg. No. 42,423

Legal Department  
Affymetrix, Inc.  
3380 Central Expressway  
Santa Clara, CA 95051  
Tel: 4008/731-5000  
Fax: 408/731-5392



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Martin J. Goldberg et al.

Application No./Patent No.: 10/044,428 Filed/Issue Date: October 26, 2001

Entitled: Method of Manufacturing Biological Chips (as amended)

Affymetrix, Inc. a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9930, Frame 0035, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

May 15, 2002  
Date

Barbara Caufield  
Signature

Barbara Caufield

Typed or printed name

Executive Vice President &  
General Counsel

Title

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

Express Mail No.: EL 675 508 141 US